

EXHIBIT A



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GO# SJ 2015-150751168 OPEN

243B-1 243(B) PC BATTERY ON AN OFC

Related Text Page(s)

Document: SYNOPSIS

Author: 4341 - SOHAL, GURBAKSH SINGH

Related date/time: Mar-17-2015 (Tue.) 549

On 3/16/15 at approximately 2358 hours, the crimes of resisting a peace officer with force or violence during the performance of their duties, under the influence of a controlled substance, resist and delay a peace officer during their duties, resisting peace officer and causing injury to the officer performing their duties, and battery on a peace officer causing injury requiring medical attention. A records check also showed the suspect had an active misdemeanor warrant. While conducting a suspicious vehicle stop, the suspect displayed objective signs and symptoms of being under influence of a controlled substance. Upon contact the suspect started to resist by actively pulling away. While attempting to escort the suspect to a patrol vehicle, the suspect kicked the officer and the suspect was subsequently take-down. While attempting the control the suspect, the suspect was actively kicking and throwing officers off his body. One officer sustained abrasions to his hand that required medical attention. 5 officers sustained multiple injuries that resulted in complaint of pain. The suspect was transported to VMC and later booked into county jail.

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243B-1 243(B) PC BATTERY ON AN OFC

Related Text Page(s)

Document: NARRATIVE

Author: 4295 - SILVA, GERARDO

Related date/time: Mar-17-2015 (Tue.) 400

On 03/17/15, at approximately 0008 hours, I responded to a report of an occupied suspicious vehicle, by Officer Cruz #4333 and Sohal #4341, on Eden Avenue/ Impala Drive. Based on my training and experience, I knew the area of Eden Avenue/ Impala Drive to be a known gang area. Upon my arrival, I acted as scene security. I observed the suspect (later identified as Octavio Perez Mondragon) was under arrest and in handcuffs, sitting on a tree stump. The suspect was constantly moving his upper body. The suspect was yelling "You can't do this to me!" The suspect was yelling at officers on scene and was very agitated.

Officer Sohal and Officer Khan #4306 were searching the suspect incident to arrest. The suspect was yelling "You can't do this to me!" and was thrashing his upper body back and forth. As Officer Sohal and Officer Khan were escorting the suspect to a police car, I saw all three of them went to the ground.

I got into my police car (#1630) and positioned it on Eden Avenue, South of where the suspect was on the ground and activated my amber light bar, in order to prevent traffic from striking the suspect, Officer Khan and Officer Sohal. As I exited the driver seat of my police car, I observed the suspect was on the ground, fighting Officer Khan and Officer Sohal. See Officer Khan's and Officer Sohal's supplemental report for further details.

I ran over to where the suspect was fighting with officers. I observed the suspect was kicking his legs back and forth and from side to side. Officer Khan was losing control of the suspect's legs. I feared if Officer Khan lost control of the suspect's legs, the suspect would cause great bodily injury to Officer Khan. In order to prevent the suspect from kicking Officer Khan, overcome the suspect's active resistance and affect the suspect's arrest, I crouched into a squatting position and dropped both of my knees over the back of the upper meaty portions of the suspect's legs. I could feel the suspect's legs were tense and he was trying to buck me off of his legs, causing me to lose my balance several times. I had to place my palms on the ground in front and behind me, several times, in order to keep me from falling over.

The suspect was continuously trying to buck me off of his legs and was thrashing his upper body from side to side. The suspect kept yelling for Jesus to help him. The suspect kept yelling that he was not fighting and

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243B-1 243(B) PC BATTERY ON AN OFC

for us to take him to jail. I repeatedly yelled for the suspect to stop fighting. The suspect continued to fight myself and other officers. In order to prevent the suspect's escape, overcome his active resistance and affect an arrest, I attempted to place the suspect's right hand in a control hold. The suspect had his hands clenched together and refused to release them. Sgt. Hutchings #3407 responded to the scene with a WRAP restraint.

I assisted in placing the suspect's legs in the WRAP. The suspect's legs were secured. Officers on scene placed the suspect in the seated position. Officers attempted to secure the suspect's upperbody in the WRAP. The suspect straightened his upperbody and moved it from side to side, preventing officers from securing the suspect's upperbody in the WRAP. I positioned myself on the left side of the suspect's body. In order to prevent the suspect's escape, overcome his active resistance and affect an arrest, I placed both of my palms on the back of the suspect's head and applied downward pressure, in an effort to place the suspect in a seated position, to allow other officers to properly secure the suspect's upperbody in the WRAP. The suspect continuously rolled from side to side and pushed his upperbody away from his feet. Due to the suspect's level of resistance, several times, my self and other officers lost balance. I fell to both my knees several times. I observed several officers fall down, while trying to restrain the suspect.

I repositioned myself behind another officer, who was directly behind the suspect. In order to prevent the suspect's escape, overcome his active resistance and affect an arrest, I placed my arms around the above mentioned officer and placed both of my palms on the suspect's back. I could feel the suspect's back was tense and he was pushing his upperbody away from his feet. I applied forward pressure with both of my palms, trying to keep the suspect in a seated position long enough for his upperbody to be secured in the WRAP. I lost my balance and fell out of position. In order to prevent the suspect's escape, overcome his active resistance and affect an arrest, I repositioned myself on the left side of the suspect's body, knelt down beside him placed both my palms on the back of the suspect's head and applied downward pressure.

I assisted other officers in securing the suspect's upperbody in the Wrap. The suspect's entire body was properly secured in the WRAP.

See physical evidence text document for physical evidence details.

During a canvass of the scene, I contacted a witness (later identified as [REDACTED] Witness [REDACTED] gave me a statement, which I

201503/26/2015 000000018

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243B-1 243(B) PC BATTERY ON AN OFC

digitally recorded and uploaded into DCS. See Witness [REDACTED] statement text document for details.

See injuries text document for my injuries details.

I submitted a SJPd Force Response Report to Sgt. Hutchings #3407.

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243B-1 243(B) PC BATTERY ON AN OFC

Related Text Page(s)

Document: NARRATIVE

Author: 4306 - KHAN, BAASIL JAWAD

Related date/time: Mar-17-2015 (Tue.) 450

On 03-17-15 I was in full uniform driving a marked police patrol vehicle. I was working patrol in the western division, and my call sign was 71N2. At approximately 0008 hours I responded to the area of Eden and Impala in San Jose where Officer Cruz #4333 and Officer Sohal #4341 were conducting a community foot patrol.

Upon arrival I noticed the Suspect who was previously identified as Mondragon, Octavio (05-18-71) sitting on what appeared to be a tree stump already detained in handcuffs. His eyes were wide open, his eyebrows were furrowed, and his face was red in anger as he was screaming at the officers.

Ofc. Sohal #4341 informed me that Suspect Mondragon had been arrested for being under the influence of a controlled substance and resisting arrest. I assisted Ofc. Sohal in lifting the suspect up and helping him walk back to the patrol car to perform a search incident to arrest. As he was searching the suspect he started resisting trying to move away from my self and Ofc. Sohal. I placed my right hand on his right arm and my left hand on his left wrist to keep him from moving away. I could feel the muscles in his arms become tight and rigid as he started yelling, "Why are you doing this to me?!" and "Just take me to jail!" The suspect leaned forward and kicked back his left leg striking Ofc. Sohal. When the suspect started to become combative we began walking him back to my patrol car to place him in the back seat.

As we were approximately 15 feet away from my vehicle the suspect planted his feet and refused to move. He then leaned forward and kicked his right leg back almost striking my left leg. As he started to pull away in an attempt to flee Ofc. Sohal conducted a take down to prevent him from running away. We were both holding down his upper body to prevent him from struggling. I instructed him to stop resisting several times. The suspect then started kicking back both his legs striking me once in the left thigh. I then applied downward pressure to both of the suspect's legs using my body weight to prevent him from kicking me to overcome his resistance and affect his arrest. He continued trying to kick lifting me off the ground causing me to lose balance and fall forward. My right fist struck the asphalt as causing abrasions to the knuckles. I tried to catch myself with my left hand and caused pain to my left wrist. As the suspect continued to resist I requested Sgt. Hutchings #3407 to respond to the scene with a

201503/26/2015 000000020



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243B-1 243(B) PC BATTERY ON AN OFC

"Wrap" device so that we could restrain the suspect from fighting. I assisted in securing the suspect in the "Wrap" device. He continued resisting violently rocking back and forth and side to side and attempted getting up several times. I again gave several commands to the suspect to, "Stop resisting." As I placed the harness of the wrap over the suspect's shoulders he violently jerked forward and tried to bite my hand. I was able to move my hand out of the way before he was able to do so.

Once the suspect was restrained he was transported to Valley Medical Center (VMC) by Santa Clara County EMS and treated for injuries.

Refer to Officer Schal's General Offense Report for further details.

201503/26/2015 000000021

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243B-1 243(B) PC BATTERY ON AN OFC

Related Text Page(s)

Document: NARRATIVE

Author: 4333 - CRUZ, MARCO NAZARETH

Related date/time: Mar-17-2015 (Tue.) 455

On approximately 3/16/15 at approximately 2358 hours, I was in full police utility uniform on foot patrol in the area of Eden Av and Impala Dr.

Ofc. Sohal #4341 was also with me on foot patrol. See Ofc. Sohal's primary report for full detail.

Ofc. Sohal and I were walking the east side of Eden Av walking north bound on Eden Av from Impala Dr. The area of Eden Av and Impala Dr is known active gang territory, a known drug area, an area where burglaries occur, an area where vehicles are stolen and an area where stolen vehicles are dumped.

Ofc. Sohal and I walked past a truck that was parked in a car port at the north east corner of Eden Av and Impala Dr. I noticed a bright light coming from inside the truck and the light was moving around as if there was a person inside.

Ofc. Sohal and I approached the truck and requested COMMUNICATIONS conduct a records check of the trucks license plate; California 7P28278. As Ofc. Sohal and I moved closer to the truck, the driver's door opened and a Hispanic male emerged from the truck.

The Hispanic male was, later identified as (S) Octavio MONDRAGON, wearing a white t-shirt, blue jeans, holding a green jacket and his belt buckle was undone hanging from both sides. I stated, "Hi." to (S) MONDRAGON. (S) MONDRAGON stated hi back to me. I asked (S) MONDRAGON if he lived at the apartment complex his truck was parked at. (S) MONDRAGON stated, "No, I work here." Based on (S) MONDRAGON's statement, the time of day (2358 hours) and our location, I had reasonable suspicion to believe suspicious activity is afoot, and the person to be detained is connected to that activity, and the activity may be related to a crime.

Ofc. Sohal asked (S) MONDRAGON if had any weapons and to keep his hands from his waist band. (S) MONDRAGON began to reach towards his waist band with his right hand. Ofc. Sohal told (S) MONDRAGON to not move his hands. (S) MONDRAGON displayed the following objective symptoms displayed the following objective symptoms of being under the influence of a stimulant: rapid speech, continuous movement, damp skin, agitated behavior, and aggressive speech.

201503/26/2015 000000022

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243B-1 243(B) PC BATTERY ON AN OFC

Ofc. Sohal grabbed (S) MONDRAGON's left hand. (S) MONDRAGON began to pull away from Ofc. Sohal. I grabbed (S) MONDRAGON's right hand and (S) MONDRAGON began to tense his right hand and clenched his right hand into a fist. I immediately placed (S) MONDRAGON's right hand into a wrist lock. I attempted to place (S) MONDRAGON's right hand at his lower back. (S) MONDRAGON was actively pulling his right hand away from me. I had to struggle to place (S) MONDRAGON's right hand at his lower back. Ofc. Sohal was able to place (S) MONDRAGON's left hand in handcuffs and then proceed to place handcuffs on his right hand. (S) MONDRAGON continued to say, "You can't do this, you need to ask for my ID first."

Ofc. Sohal and I escorted (S) MONDRAGON to a tree stump located south of (S) MONDRAGON's truck, and had (S) MONDRAGON sit on the stump.

(S) MONDRAGON stated to me several times "You need to ask for my ID first. You can't do this." I attempted to explain to (S) MONDRAGON multiple times why he was in handcuffs but once I began my explanation (S) MONDRAGON would interrupt me by stating "No, you can't do this."

(S) MONDRAGON spontaneously stated to me, you can check my car there is nothing inside. I asked (S) MONDRAGON if I could take a look inside of his vehicle, and (S) MONDRAGON stated go ahead.

Ofc. Wolf #4282, Ofc. Silva #4295 and Ofc. Khan #4306 arrived on scene to assist us. Refer to Ofc. Wolf's, Ofc. Silva's and Ofc. Khan's supplemental reports for full detail.

I began to conduct a consent search of (S) MONDRAGON's vehicle. During my search, I heard officers say "stop resisting." I heard a "thumping" sound and looked towards Eden Av. I saw two officers attempting to gain control of (S) MONDRAGON. I continued my search of (S) MONDRAGON's vehicle.

I heard officers yelling "Stop resisting!", and "Stop fighting!"

I heard Ofc. Khan request a WRAP be brought to the scene over the radio. I heard Ofc. Wolf request FIRE and EMS respond to the scene as well.

Sgt. Hutchings #3407 responded to scene with a WRAP.

(S) MONDRAGON was faced down on the ground with Ofc. Sohal, Ofc. Wolf, Ofc. Silva, and Ofc. Khan attempting to control (S) MONDRAGON and overcome his active resistance and effect the arrest. (S) MONDRAGON was continuously moving his body around with four officers holding him down.

201503/26/2015 000000023

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243B-1 243(B) PC BATTERY ON AN OFC

I retrieved the WRAP from Sgt. Hutchings, and brought the WRAP to where (S) MONDRAGON was located.

I placed (S) MONDRAGON's lower body in half of the WRAP restraint. We sat (S) MONDRAGON up right and attempted to place the second half of the WRAP restraint on (S) MONDRAGON's upper body. (S) MONDRAGON began to push his upper body in a backward motion. Ofc. Sohal was directly on (S) MONDRAGON's back attempting to push (S) MONDRAGON forward. (S) MONDRAGON was easily pushing his upper body backwards even though Ofc. Sohal was directly on his back. I and other officers attempted to push and pull (S) MONDRAGON's upper body forward to secure him in the WRAP restraint. (S) MONDRAGON continued to push his upper backwards with ease even though there were multiple officers pushing and pulling him forward.

We continued this struggle for a while. (S) MONDRAGON was continuously actively resisting us. (S) MONDRAGON was able to push his upper body backwards, turn his body and lay flat on his stomach. (S) MONDRAGON continued to move his whole. I placed (S) MONDRAGON's left hand in a wrist lock in attempt to gain pain compliance; the wrist lock had no effect on (S) MONDRAGON.

Again we attempted to place (S) MONDRAGON's upper body into the second half of the WRAP restraint. After numerous tries and struggling with (S) MONDRAGON. (S) MONDRAGON was successfully placed in the WRAP.

For approximately 10 minutes, we (myself, Ofc. Sohal, Ofc. Wolf, Ofc. Silva, and Ofc. Khan) struggled to place (S) MONDRAGON into the WRAP. (S) MONDRAGON was successfully placed in the WRAP and officers successfully effected the arrest.

I contacted (W) Philippe GONZALEZ. I obtained a digitally recorded statement from [REDACTED] statement text document for full detail.

201503/26/2015 000000024

000187